IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 4930 OF 2004

IN

CRIMINAL APPEAL NO.60 OF 2004

Talib Tahir Khan .. Applicant

versus

State of Maharashtra .. Respondent

...

Mr.Santosh Deshpande for the applicant.

Mr.D.P. Adsule, APP for the State.

CORAM : V.M. KANADE, J

DATED : 3rd December 2004.

P.C:-

1. Heard the learned counsel appearing on behalf of the applicant and the learned APP appearing on behalf of the State.

2. The applicant is convicted u/s.307 of the IPC and sentenced to suffer RI for 7 years. The

prosecution case is that the applicant fired two rounds from a revolver on one Mohd Zishan. The accused was apprehended on the spot and his revolver was also recovered from the scene of the offence. The revolver was of 30" bore revolver of Smith Company. Mohd. Zishan survived the attack and he was operated and two bullets were recovered from his person.

3. In my view, no case is made out for bail. Application for bail is rejected. The applicant is in jail since 15th November 2002. He has already undergone four years of sentence. Under the circumstances, the hearing of the appeal is expedited. The appellant is granted liberty to prepare a private paper book and after the paper book is ready to apply for a fixed date of hearing. If the appeal is not heard within a period of six months, liberty to apply for bail is granted.

V.M. KANADE, J